

A-1700(a)-(e)

- (a) Removal of one 11.0-inch diameter Sweet Gum tree located in the northwest corner of the property.
- (b) Removal of one 8.5-inch diameter Crab Apple tree located on the north side of the property.
- (c) Removal of one 10.7-inch diameter Cryptomeria tree located in the property's Primrose Street front yard.
- (d) Removal of one 9.3-inch diameter Cryptomeria tree located in the property's Primrose Street front yard.
- (e) Removal of one 8.0-inch diameter Cryptomeria tree located in the property's Primrose Street front yard.

McCullough Residential, L.L.C. (Contract-Purchaser)  
117 Oxford Street



117 Oxford Street



(a) Sweet Gum



(c) (d) (e) Cryptomeria



(b) Crab Apple



**CHEVY CHASE VILLAGE  
NOTICE OF PUBLIC HEARING**

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Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 12<sup>th</sup> day of January, 2009 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

**APPEAL NUMBER A-1700(a)-(e)  
McCULLOUGH RESIDENTIAL, L.L.C. (CONTRACT-PURCHASER)  
117 OXFORD STREET  
CHEVY CHASE, MARYLAND 20815**

The applicant has filed an appeal pursuant to Section 17-4(b) of the Chevy Chase Village Urban Forest Code to remove the following trees in order to accommodate the proposed construction of a new house on the property:

- (a) an 11.0-inch diameter Sweet Gum tree located in the northwest corner of the property;
- (b) an 8.5-inch diameter Crab Apple tree located on the north side of the property;
- (c) a 10.7-inch diameter Cryptomeria tree located in the property's Primrose Street front yard;
- (d) a 9.3-inch diameter Cryptomeria tree located in the property's Primrose Street front yard; and
- (e) an 8.0-inch diameter Cryptomeria tree located in the property's Primrose Street front yard.

**The Chevy Chase Village Code § 17-4 (b) states:**

The Board of Managers shall have the authority to permit the removal or destruction of a tree or the undertaking of any action that will substantially impair the health or growth of a tree if, after a public hearing, the Board finds that such removal, destruction or other action will not adversely affect the public health, safety or welfare, nor the reasonable use of adjoining properties and can be permitted without substantial impairment of the purpose and intent of this chapter.

Additional information regarding this appeal may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at [www.ccvillage.org](http://www.ccvillage.org) or you may contact the office for this information to be mailed to you.

This notice was mailed to abutting property owners on the 31<sup>st</sup> day of December, 2008.


**Chevy Chase Village Office  
5906 Connecticut Avenue  
Chevy Chase, Maryland 20815  
301-654-7300**

**Mailing List for Appeal A-1700 (a)-(e)**

**MCCULLOUGH RESIDENTIAL, L.L.C. (CONTRACT-PURCHASER)**  
**117 OXFORD STREET**  
**CHEVY CHASE, MARYLAND 20815**

<b>Adjoining and confronting property owners</b>	
Mr. Theodore Patch Ms. Tracey B. Smith Or Current Resident 106 Oxford Street Chevy Chase, MD 20815	Mr. and Mrs. Richard Efron Or Current Resident 108 Oxford Street Chevy Chase, MD 20815
Mr. Joseph A. Hawley Or Current Resident 115 Oxford Street Chevy Chase, MD 20815	Ms. Rita J. Simon Or Current Resident 110 Primrose Street Chevy Chase, MD 20815
Mr. Timothy P. Matthews Or Current Resident 113 Primrose Street Chevy Chase, MD 20815	Mr. and Mrs. Howard Jacobs Or Current Resident 115 Primrose Street Chevy Chase, MD 20815
Mr. Robert Kayton Ms. Suzanne Resnick Or Current Resident 117 Primrose Street Chevy Chase, MD 20815	Mr. and Mrs. D. Sloan Derrin Or Current Resident 119 Primrose Street Chevy Chase, MD 20815
Mr. Jonathan A. Kaplan Ms. Jill S. Wilkins Or Current Resident 121 Primrose Street Chevy Chase, MD 20815	Dr. and Ms. Walter Reich Or Current Resident 200 Primrose Street Chevy Chase, MD 20815
Mr. James L. Durham Ms. Beth Lyle-Durham Or Current Resident 201 Primrose Street Chevy Chase, MD 20815	

I hereby certify that a public notice was mailed to the aforementioned property owners on the 31 day of December, 2008.

  
**Doris M. Lyerly**  
**Chevy Chase Village**  
**5906 Connecticut Avenue**  
**Chevy Chase, MD 20815**

GEOFFREY B. BIDDLE  
*Village Manager*  
DAVID R. PODOLSKY  
*Legal Counsel*

CHEVY CHASE VILLAGE  
5906 CONNECTICUT AVENUE  
CHEVY CHASE, MD 20815  
Telephone (301) 654-7300  
Fax (301) 907-9721  
ccv@montgomerycountymd.gov

BOARD OF MANAGERS  
DOUGLAS B. KAMEROW  
*Chair*  
DAVID L. WINSTEAD  
*Vice Chair*  
SUSIE EIG  
*Secretary*  
GAIL S. FELDMAN  
*Treasurer*  
BETSY STEPHENS  
*Assistant Treasurer*  
PETER M. YEO  
*Board Member*  
ROBERT L. JONES  
*Board Member*

December 31, 2008

Mr. Tom McCullough  
McCullough Residential, L.L.C.  
5039 Connecticut Avenue, N.W., Suite 4  
Washington, DC 20008

**Re: 117 Oxford Street, Tree Removal Appeal**

Dear Mr. McCullough:

Please note that your appeal to remove a Sweet Gum, Crab Apple and three Cryptomeria trees located on the above-referenced property is scheduled before the Board of Managers on Monday, January 12, 2009 at 7:30 p.m.

Either you or another representative must be in attendance to present your case. At that time, additional documents may be introduced and testimony can be provided in support of the request.

For your convenience, enclosed please find a copy of the Public Hearing Notice and mailing list. Please contact the Village office in advance if you are unable to attend.

Sincerely,



Doris M. Lyerly  
Permitting and Code Enforcement Specialist  
Chevy Chase Village

Enclosures

Contract Purchaser

Greg Davis

12/23/08

**Chevy Chase Village  
Tree Removal Permit  
Application**

301 370 3358

Permit Number:

Date of Application:

A-1700

12/17/08

117 Oxford St

Applicant Name: McCullough Residential, LLC	
Address: 5039 Connecticut Ave, NW Suite 4 Washington, DC 20008	Phone: (202) 237-2415 x13
Contact Person:	MD DNR License No. (Required)

Chapter 17. Urban Forest §17-1 and 17-2. Permit Required

Chapter 17 applies to trees on private property with trunks that measure at least twenty-four (24) inches in circumference at four and one-half (4 1/2) feet above ground level. § 17-2 reads: "no person shall remove or destroy, or cause the removal or destruction, of a tree or undertake any action that will substantially impair the health or growth of a tree without first obtaining a permit from the Village Manager. No permit shall be required for normal and reasonable trimming or other tree care designed to maintain the health, shape, or balance of a tree."

**§17-3 Permit Standards**

The Village Manager is authorized to issue a permit only if at least one (1) of the following conditions applies:

- ☐ The tree is damaged beyond restoration, insect infected beyond restoration, or injured beyond restoration;
- ☐ The tree is dead or dying or in danger of falling;
- ☐ The tree constitutes a hazard to the safety of persons;
- ☐ The tree constitutes a hazard and threatens the safety of property;
- ☐ The tree constitutes a hazard and threatens injury to, or would have a negative effect on the health of other trees;
- ☐ The tree is injurious to or creates a condition injurious to the health of a person, certified to by a qualified medical practitioner.

An applicant who is denied a tree removal permit by the Village Manager may appeal the Manager's decision to the Board in writing within ten (10) days of the denial for the application of the permit.

**Filing Requirements**

- ☐ There is a \$50.00 per tree filing fee for a Chevy Chase Village Tree Removal Permit.
- ☐ Copy of the findings and recommendations report from either the Village staff or the Chevy Chase Village Consulting arborist.
- ☐ A completed Tree Removal Permit Application, including the selected tree contractor's name and phone number, and payment of filing fees.

**By signing below, I understand that no work may be performed until the Village permit is issued and posted to be visible from the street.**

Applicant's Signature:

*Sarah E. Atwood*

Date: 12-14-2008

Sarah E. Atwood McCullough Residential, LLC

For use by HPC only:

Historic Area Work Permit required?

Yes ☐

No ☐

(HPC Initials)



Tree Removal Plans (including reforestation plan, if any)
We would like to remove the indicated trees.
We are willing & expect to plant new trees, per your direction, on both the private property & in public space.

For Use By Village Manager	Approved with the following conditions:
<div style="border: 2px solid black; padding: 5px; text-align: center;"> <b>APPROVED</b>  <b>DEC 17 2008</b>            Chevy Chase            Village Manager         </div>	#9 (ALL OTHERS NOT DISAPPROVED BUT REQUESTS ARE UNDESIRABLE OR NOT APPLICABLE)
	<i>[Signature]</i>

REFERENCE NUMBER CORRESPONDS TO SITE PLAN & Insp Reports.

For Use By Village Manager	Denied for the following reasons:
<div style="border: 2px solid black; padding: 5px; text-align: center;"> <b>DENIED</b>  <b>DEC 17 2008</b>            Chevy Chase            Village Manager         </div>	#1, #2, #12, #13 and #14 are healthy
	<i>[Signature]</i>

<b>Filing Fees</b>	<b>Checks Payable to:</b>	<b>Chevy Chase Village</b>
Permit Fee: 350 <sup>00</sup>	#6877	5906 Connecticut Avenue
Damage Deposit:		Chevy Chase, MD 20815
Appeal Fee:	Date: 12/16/08	
Total Fees & Deposits: 350 <sup>00</sup>	Staff Signature: <i>[Signature]</i>	

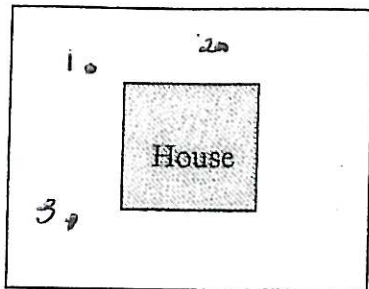
\$250<sup>00</sup> Appeal Fee paid 12/22/08 check #6878 DMC

# Tree Inspection Request

Address 117 OXFORD ST Date 12-16-08  
 Resident's Name McCallough Phone #s \_\_\_\_\_

Circle One: Private Property Village Street/Park Tree \_\_\_\_\_

Concern(s) TREE REMOVAL REQUESTS



Street

Call taker to indicate location of tree(s) using "plat" and Number designation itemized below.

#1 - \_\_\_\_\_  
 #2 - \_\_\_\_\_  
 #3 - \_\_\_\_\_

(Please list no more than three trees per page)

\*\*\*\*\* To be completed by arborist \*\*\*\*\*

A →

Tree # 1: Type and Diameter Sweet Gum 11.0" DBH  
 Assessment: Healthy

B →

Tree # 2: Type and Diameter Crab Apple 8.5" DBH  
 Assessment: Healthy

Tree # 3: Type and Diameter Maple 6.0" DBH  
 Assessment: Undersize

If removal requested. - Approved Denied  
 Tree 1 ☐ ☒  
 Tree 2 ☐ ☒  
 Tree 3 ☒ ☐

Permit Required? Y N  
☒ ☐  
☒ ☐  
☐ ☒

Signature [Signature]

Date 12/16/08



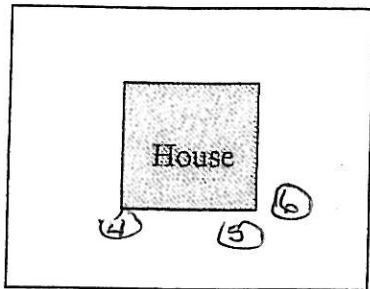
# Tree Inspection Request

Address 117 OXFORD Date 12-16

Resident's Name \_\_\_\_\_ Phone #s \_\_\_\_\_

Circle One: Private Property Village Street/Park Tree \_\_\_\_\_

Concern(s) \_\_\_\_\_



Call taker to indicate location of tree(s) using "plat" and Number designation itemized below.

#1 - \_\_\_\_\_  
#2 - \_\_\_\_\_  
#3 - \_\_\_\_\_

(Please list no more than three trees per page)

\*\*\*\*\* To be completed by arborist \*\*\*\*\*

Tree # 1 Type and Diameter Healthy 8.0" DBH  
Assessment: Two trunk N/A ABB  
(NEED SCREWS)

Tree # 2 Type and Diameter Kousa Dogwood 5.0" DBH  
Assessment: undersize

Tree # 3 Type and Diameter Healthy Shrub 10.5" DBH  
Assessment: Healthy N/A ABB

If removal requested. - Approved Denied  
Tree 1 ☐ ☒  
Tree 2 ☒ ☐  
Tree 3 ☐ ☒

Permit Required? Y N  
☒ ☐ N/A ABB  
☐ ☒  
☒ ☐ N/A ABB

Signature [Signature]

Date 12-16-08

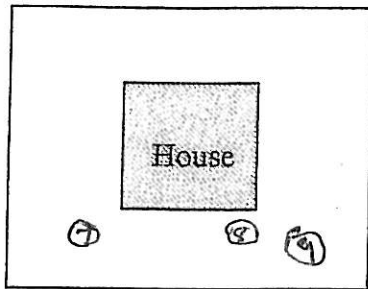
# Tree Inspection Request

Address 117 OXFORD Date 12-16-08

Resident's Name \_\_\_\_\_ Phone #s \_\_\_\_\_

Circle One: Private Property Village Street/Park Tree \_\_\_\_\_

Concern(s) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



Call taker to indicate location of tree(s) using "plat" and Number designation itemized below.

#1 - \_\_\_\_\_  
 #2 - \_\_\_\_\_  
 #3 - \_\_\_\_\_

(Please list no more than three trees per page)

\*\*\*\*\* To be completed by arborist \*\*\*\*\*

Tree #1: Type and Diameter Acer M. 6.7" DBH  
 Assessment: undersize

Tree #2: Type and Diameter Magnolia 6.2" DBH  
 Assessment: undersize

Tree #3: Type and Diameter Weeping Cherry 21.5" DBH  
 Assessment: Declining excess dead limb  
come with my

If removal requested. - Approved

Denied

Permit Required?

Y

N

Tree #1

☒
☐
☐
☒

Tree #2

☐
☐
☐
☒

Tree #3

☒
☐
☒
☐

Signature [Signature]

Date 12-16-08

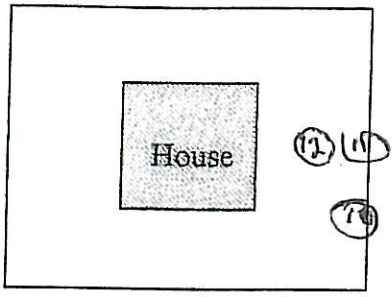
# Tree Inspection Request

Address 117 OXFORD ST Date 12-16-08

Resident's Name \_\_\_\_\_ Phone #s \_\_\_\_\_

Circle One: Private Property Village Street/Park Tree \_\_\_\_\_

Concern(s) \_\_\_\_\_



Call taker to indicate location of tree(s) using "plat" and Number designation itemized below.

#1 - \_\_\_\_\_  
#2 - \_\_\_\_\_  
#3 - \_\_\_\_\_

(Please list no more than three trees per page)

\*\*\*\*\* To be completed by arborist \*\*\*\*\*

Tree # 10 Type and Diameter American Elm 7.8" DBH  
Assessment: undersize

Tree # 11 Type and Diameter American Elm 6.7" DBH  
Assessment: undersize

C → Tree # 12 Type and Diameter Cryptomeria 10.7" DBH  
Assessment: Resting

If removal requested. -	Approved	Denied
Tree 10	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tree 11	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tree 12	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Permit Required?	Y	N
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Signature Wendy

Date 12-16-08



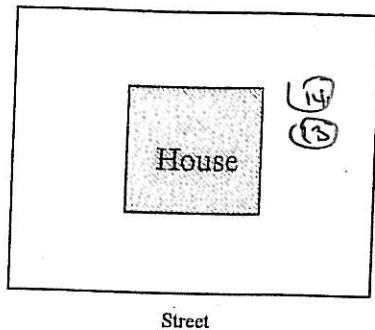
# Tree Inspection Request

Address 117 OXFORD ST Date 12-16-08

Resident's Name \_\_\_\_\_ Phone #s \_\_\_\_\_

Circle One: Private Property Village Street/Park Tree \_\_\_\_\_

Concern(s) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



Call taker to indicate location of tree(s) using "plat" and Number designation itemized below.

#1 - \_\_\_\_\_  
 #2 - \_\_\_\_\_  
 #3 - \_\_\_\_\_

(Please list no more than three trees per page)

\*\*\*\*\* To be completed by arborist \*\*\*\*\*

D → Tree # 13 Type and Diameter Cryptomeria 9.3" DBH  
 Assessment: Healthy

E → Tree # 14 Type and Diameter Cryptomeria 8.0" DBH  
 Assessment: Healthy

Tree # 15 Type and Diameter \_\_\_\_\_  
 Assessment: \_\_\_\_\_

If removal requested. - Approved Denied  
 Tree 13 ☐ ☒  
 Tree 14 ☐ ☒  
 Tree 15 ☐ ☐

Permit Required? Y N  
☒ ☐  
☒ ☐  
☐ ☐

Signature [Signature]

Date 12-16-08

## McCullough Residential, L.L.C.

December 22, 2008

Board of Managers  
Chevy Chase Village  
5906 Connecticut Avenue  
Chevy Chase, MD 20815

Re: 117 Oxford Street, NW

To the Board of Managers:

McCullough Residential, L.L.C. would like to appeal the decision by the Chevy Chase Village Manager to deny us a permit to remove the following trees from 117 Oxford Street:

#1: 12" Gum  
#2: ~~7" Maple~~ 8.5 crab apple GPO 12-23-08  
#12: 13" Cryptomeria  
#13: 13" Cryptomeria  
#14: 8" Cryptomeria

Trees #1 & #2 are both located in the construction overdig area and would be damaged during the construction process. Trees #12, #13, & #14 are not in an appropriate location in relation to neighboring trees, and thus are overcrowded, do not receive enough sunlight, and are not aesthetically pleasing.

We would be more than happy to replant some trees on our property and would entertain the possibility of also planting trees on public space. Thank you very much for your time and consideration.

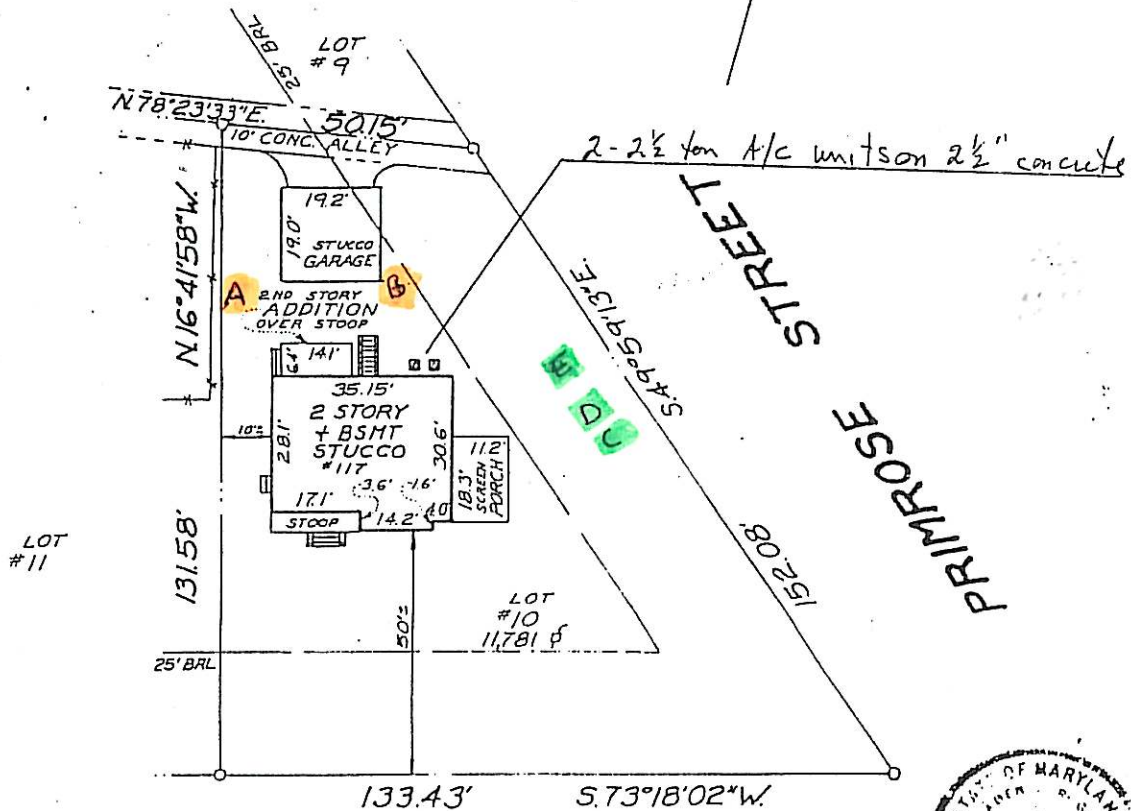
Sincerely,



Sarah Atwood  
Project Manager  
McCullough Residential, L.L.C.



Highlighted letters refer to Public  
Hearing Notice.



117 OXFORD ROAD



NO TITLE REPORT FURNISHED

LOCATION SURVEY OF  
117 OXFORD STREET

SUBDIVISION

**CHEVY CHASE**

MONTGOMERY COUNTY, MARYLAND

LOT: 10  
PLAT BOOK: 3  
DATE: 1-13-87  
CASE NO: 5300

BLOCK: E  
PLAT NO: —  
SCALE: 1" = 30'  
FILE NO: HG86132

**CERTIFICATION:** I hereby certify that the position of all the existing improvements on the above described property has been carefully established by a transit tape survey and that unless otherwise shown there are no encroachments. This is not a property line survey and should not be used as such.

GRADEN A. ROGERS - PROP. S. MD. LIC. NO 119



# GENERAL NOTES

- 1) WATER CATEGORY - 1. SEWER CATEGORY - 1
- 2) ROADWAY INFORMATION BASED ON A SURVEY PERFORMED BY CAS ENGINEERING, DATED SEPTEMBER, 2006.
- 3) ALL FLOOD ZONING IS BASED ON A SURVEY PERFORMED BY CAS ENGINEERING, DATED SEPTEMBER, 2006.
- 4) TOTAL LOT AREA: 107,780 SQ. FT. (2.57 ACRES)
- 5) PROPERTY SHOWN ON THE MAP MUST BE IN ACCORDANCE WITH THE ZONING MAP.
- 6) PROPERTY SHOWN ON THE MAP MUST BE IN ACCORDANCE WITH THE ZONING MAP.
- 7) THE PROPERTY IS LOCATED IN THE LINDSEY HILLS COMMUNITY PANEL.
- 8) FLOOD ZONE: 100-YEAR FLOOD ZONE.
- 9) SITE IS LOCATED IN THE LINDSEY HILLS COMMUNITY PANEL.
- 10) THE PROPERTY IS LOCATED IN THE LINDSEY HILLS COMMUNITY PANEL.
- 11) THE PROPERTY IS LOCATED IN THE LINDSEY HILLS COMMUNITY PANEL.
- 12) THE PROPERTY IS LOCATED IN THE LINDSEY HILLS COMMUNITY PANEL.
- 13) THE PROPERTY IS LOCATED IN THE LINDSEY HILLS COMMUNITY PANEL.
- 14) THE PROPERTY IS LOCATED IN THE LINDSEY HILLS COMMUNITY PANEL.
- 15) THE PROPERTY IS LOCATED IN THE LINDSEY HILLS COMMUNITY PANEL.
- 16) THE PROPERTY IS LOCATED IN THE LINDSEY HILLS COMMUNITY PANEL.
- 17) THE PROPERTY IS LOCATED IN THE LINDSEY HILLS COMMUNITY PANEL.
- 18) THE PROPERTY IS LOCATED IN THE LINDSEY HILLS COMMUNITY PANEL.
- 19) THE PROPERTY IS LOCATED IN THE LINDSEY HILLS COMMUNITY PANEL.
- 20) THE PROPERTY IS LOCATED IN THE LINDSEY HILLS COMMUNITY PANEL.

## ZONING DATA

- 1) ZONING MAP: 100-YEAR FLOOD ZONE
- 2) ZONING MAP: 100-YEAR FLOOD ZONE
- 3) ZONING MAP: 100-YEAR FLOOD ZONE
- 4) ZONING MAP: 100-YEAR FLOOD ZONE
- 5) ZONING MAP: 100-YEAR FLOOD ZONE
- 6) ZONING MAP: 100-YEAR FLOOD ZONE
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- 15) ZONING MAP: 100-YEAR FLOOD ZONE
- 16) ZONING MAP: 100-YEAR FLOOD ZONE
- 17) ZONING MAP: 100-YEAR FLOOD ZONE
- 18) ZONING MAP: 100-YEAR FLOOD ZONE
- 19) ZONING MAP: 100-YEAR FLOOD ZONE
- 20) ZONING MAP: 100-YEAR FLOOD ZONE

## LEGEND

- EXISTING UTILITIES
- PROPOSED UTILITIES
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## MISS UTILITY

- 1) THE LOCATION OF UTILITIES SHALL BE DETERMINED BY A SURVEY PERFORMED BY CAS ENGINEERING, DATED SEPTEMBER, 2006.
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- 15) THE LOCATION OF UTILITIES SHALL BE DETERMINED BY A SURVEY PERFORMED BY CAS ENGINEERING, DATED SEPTEMBER, 2006.
- 16) THE LOCATION OF UTILITIES SHALL BE DETERMINED BY A SURVEY PERFORMED BY CAS ENGINEERING, DATED SEPTEMBER, 2006.
- 17) THE LOCATION OF UTILITIES SHALL BE DETERMINED BY A SURVEY PERFORMED BY CAS ENGINEERING, DATED SEPTEMBER, 2006.
- 18) THE LOCATION OF UTILITIES SHALL BE DETERMINED BY A SURVEY PERFORMED BY CAS ENGINEERING, DATED SEPTEMBER, 2006.
- 19) THE LOCATION OF UTILITIES SHALL BE DETERMINED BY A SURVEY PERFORMED BY CAS ENGINEERING, DATED SEPTEMBER, 2006.
- 20) THE LOCATION OF UTILITIES SHALL BE DETERMINED BY A SURVEY PERFORMED BY CAS ENGINEERING, DATED SEPTEMBER, 2006.

NOTE: EXISTING UTILITY LOCATIONS ARE SHOWN ON THE MAP. THE LOCATION OF UTILITIES SHALL BE DETERMINED BY A SURVEY PERFORMED BY CAS ENGINEERING, DATED SEPTEMBER, 2006.

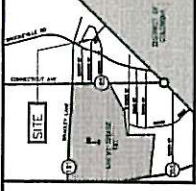
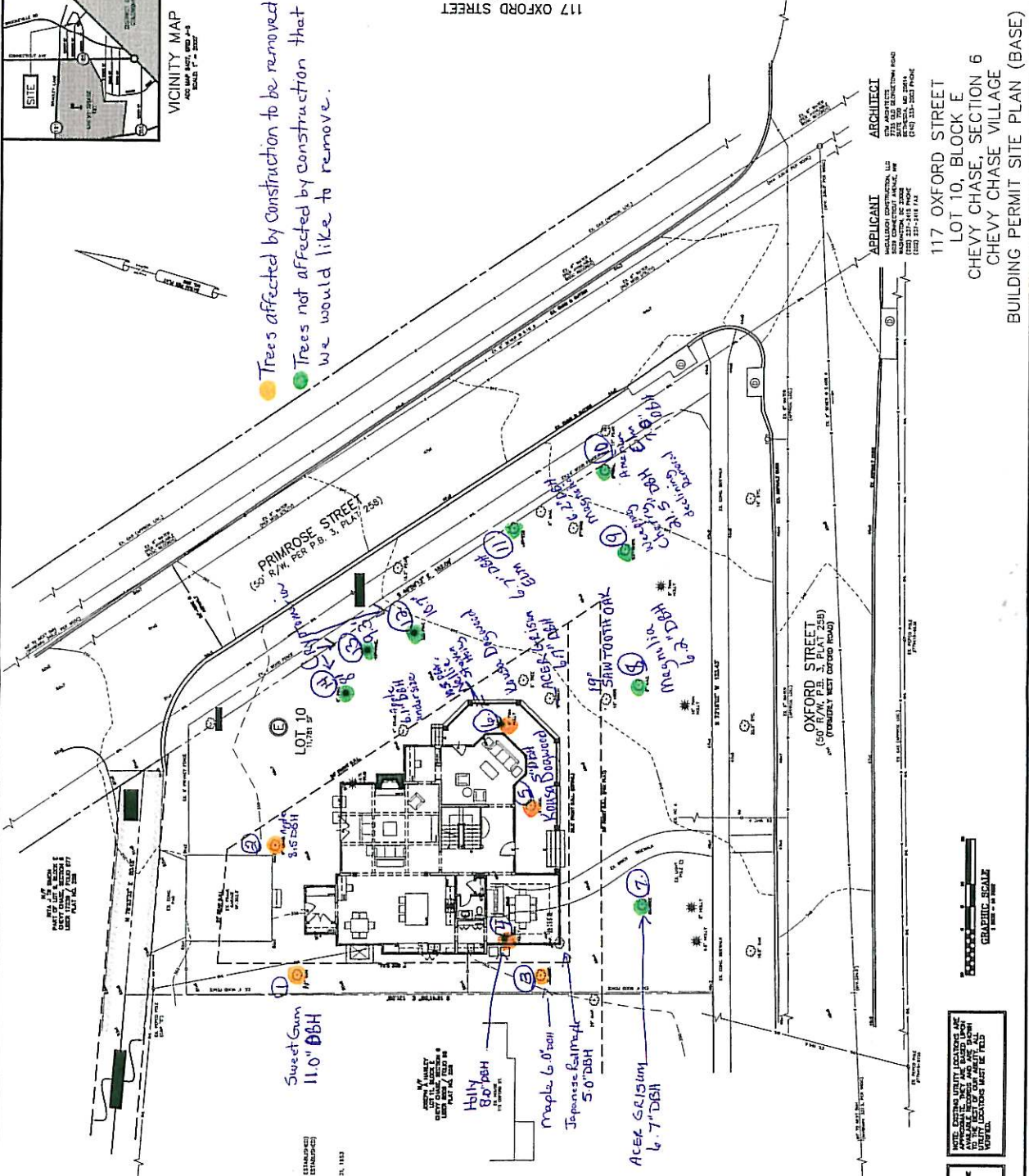
GRAPHIC SCALE  
1" = 50'

**CAS ENGINEERING**  
CIVIL - SURVEYING - LAND PLANNING  
100 West Ridge Road, Suite 100, Maryland 21771  
(301) 507-5031 FAX (301) 507-5032  
A DIVISION OF CAS ENGINEERING, INC.

**CHEVY CHASE, SEC. 6**  
P.D. 3, PLAT 258, DATED 07/18/1923  
BETHESDA (7TH) ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND  
BUILDING PERMIT SITE PLAN (BASE)

**DATE** 10/20/08  
**PROJECT** LOT 10, BLOCK E  
**REVISION** 08-192  
**APPROVED** 10/20/08  
**CAS**

**1 of 1**



Trees affected by construction to be removed.  
Trees not affected by construction that we would like to remove.

**APPLICANT**  
117 OXFORD STREET  
LOT 10, BLOCK E  
CHEVY CHASE, SECTION 6  
CHEVY CHASE VILLAGE  
BUILDING PERMIT SITE PLAN (BASE)

**ARCHITECT**  
100 West Ridge Road, Suite 100, Maryland 21771  
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A DIVISION OF CAS ENGINEERING, INC.